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# Fourth report on the provisional application of treaties

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**Addendum**

## Examples of recent European Union practice on provisional application of agreements with third States

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| *Agreement* | *Article in Agreement* | *Article in Council Decision* |
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| *Association Agreements* | | |
| Agreement establishing an Association between the European Union and its Member States, on the one hand, and Central America on the other (*Official Journal of the European Union*, No. L 346, 15 December 2012, p. 3) | Article 353 (Entry into force), paragraphs 4-7<br><br>4. Notwithstanding paragraph 2, Part IV [Trade] of this Agreement may be applied by the European Union and each of the Republics of the CA [Central America] Party from the first day of the month following the date on which they have notified each other of the completion of the internal legal procedures necessary for this purpose. In this case, the institutional bodies necessary for the functioning of the Agreement shall exercise their functions.<br><br>5. By the date of entry into force as provided in paragraph 2, or by the date of application of this Agreement, if applied pursuant to paragraph 4, each Party shall have fulfilled the requirements established in Article 244 [System of Protection] and Article 245 [Established Geographical Applications], paragraph 1(a) and (b) of Title VI (Intellectual Property) of Part IV of this Agreement. If a Republic of the CA Party has not fulfilled such requirements, the Agreement shall not enter into force in accordance with paragraph 2 or shall not be applied in accordance with paragraph 4 between the EU [European Union] Party and such non-compliant Republic of the CA Party, until those requirements have been fulfilled.<br><br>6. Where a provision of this Agreement is applied in accordance with paragraph 4, any reference in such provision to the date of entry into force of this Agreement shall be understood to refer to the date from which the Parties agree to apply that provision in accordance with paragraph 4.<br><br>7. The Parties for which Part IV of this Agreement has entered into force in accordance with paragraph 2 or 4 of this Article may also use materials originating in the Republics of the CA Party for which the Agreement is not in force. | Article 3, Council Decision of 25 June 2012 on the signing, on behalf of the European Union, of the Agreement establishing an Association between the European Union and its Member States, on the one hand, and Central America on the other, and the provisional application of Part IV thereof concerning trade matters (2012/734/EU) (*Official Journal of the European Union*, No. L 346, 15 December 2012, p. 1)<br><br>Part IV of the Agreement shall be applied on a provisional basis by the European Union in accordance with Article 353(4) of the Agreement, pending the completion of the procedures for its conclusion. Article 271 shall not be provisionally applied.<br><br>In order to determine the date of provisional application the Council shall fix the date by which the notification referred to in Article 353(4) of the Agreement is to be sent to the Republics of Central America. That notification shall include reference to the provision which is not to be provisionally applied.<br><br>The date from which Part IV of the Agreement will be provisionally applied shall be published in the *Official Journal of the European Union* by the General Secretariat of the Council. |

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| Agreement establishing an association between the European Community and its Member States, of the one part, and the Republic of Chile, of the other part (*Official Journal of the European Union*, No. L 352, 30 December 2002, p. 3) | Article 198 (Entry into force)<br><br>1. This Agreement shall enter into force the first day of the month following that in which the Parties have notified each other of the completion of the procedures necessary for this purpose.<br><br>2. Notifications shall be sent to the Secretary General of the Council of the European Union, who shall be the depository of this Agreement.<br><br>3. Notwithstanding paragraph 1, the Community and Chile agree to apply Articles 3 to 11 [Title II (Institutional framework) of Part I (General and institutional provisions)], Article 18 [Cooperation on standards, technical regulations and conformity assessment procedures], Articles 24 to 27 [Cooperation on agriculture and rural sectors and sanitary and phytosanitary measures; Fisheries; Customs cooperation; Cooperation on statistics], Articles 48 to 54 [Title VII (General Provisions) of Part III (Cooperation)], Article 55 (a), (b), (f), (h), (i) [some of the Objectives of Part IV (Trade and trade-related matters)], Articles 56 [Customs unions and free trade areas] to 93 [Articles 57 to 93 compose Title II (Free movement of Goods) of Part IV], Articles 136 to 162 [Title IV (Government procurement) of Part IV], and Articles 172 to 206 [Title VII (Competition), Title VIII (Dispute settlement), Title IX (Transparency), Title X (Specific tasks in trade matters of the bodies established under this Agreement) and Title XI (Exceptions in the area of trade) of Part IV, and Part V (Final provisions)], from the first day of the month following the date on which the Community and Chile have notified each other of the completion of the procedures necessary for this purpose.<br><br>4. Where a provision of this Agreement is applied by the Parties pending its entry into force, any reference in such provision to the date of entry into force of this Agreement shall be understood to be made to the date from which the Parties agree to apply that provision in accordance with paragraph 3.<br><br>5. From the date of its entry into force in accordance with paragraph 1, this Agreement shall replace the Framework | Article 2, Council Decision of 18 November 2002 on the signature and provisional application of certain provisions of an Agreement establishing an association between the European Community and its Member States, of the one part, and the Republic of Chile, of the other part (2002/979/EC) (*Official Journal of the European Union*, No. L 352, 30 December 2002, p. 1)<br><br>The following provisions of the Association Agreement shall be applied on a provisional basis pending its entry into force: Articles 3 to 11, Article 18, Articles 24 to 27, Articles 48 to 54, Article 55(a), (b), (f), (h), (i), Articles 56 to 93, Articles 136 to 162, and Articles 172 to 206. |

| *Agreement* | *Article in Agreement* | *Article in Council Decision* |
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| | Cooperation Agreement. By way of exception, the Protocol on Mutual Assistance in Customs Matters to the Framework Cooperation Agreement of 13 June 2001, shall remain in force and become an integral part of this Agreement. | |
| Association Agreement between the European Union and its Member States, of the one part, and Ukraine, of the other part (*Official Journal of the European Union*, No. L 161, 29 May 2014, p. 3) | Article 486 (Entry into force and provisional application)<br>1. The Parties shall ratify or approve this Agreement in accordance with their own procedures. The instruments of ratification or approval shall be deposited with the General Secretariat of the Council of the European Union.<br>2. This Agreement shall enter into force on the first day of the second month following the date of deposit of the last instrument of ratification or approval.<br>3. Notwithstanding paragraph 2, the Union and Ukraine agree to provisionally apply this Agreement in part, as specified by the Union, as set out in paragraph 4 of this Article, and in accordance with their respective internal procedures and legislation as applicable.<br>4. The provisional application shall be effective from the first day of the second month following the date of receipt by the Depositary of the following: — the Union's notification on the completion of the procedures necessary for this purpose, indicating the parts of the Agreement that shall be provisionally applied; and — Ukraine's deposit of the instrument of ratification in accordance with its procedures and applicable legislation.<br>5. For the purpose of the relevant provisions of this Agreement, including its respective Annexes and Protocols, any reference in such provisions to the "date of entry into force of this Agreement" shall be understood to the "date from which this Agreement is provisionally applied" in accordance with paragraph 3 of this Article.<br>6. During the period of the provisional application, in so far as the provisions of the Partnership and Cooperation Agreement between the European Communities and their Member States, on the one hand, and Ukraine, on the other hand, signed in Luxembourg on 14 June 1994 and which | Article 4, Council Decision of 23 June 2014 on the signing, on behalf of the European Union, and provisional application of the Association Agreement between the European Union and the European Atomic Energy Community and their Member States, of the one part, and Ukraine, of the other part, as regards Title III (with the exception of the provisions relating to the treatment of third-country nationals legally employed as workers in the territory of the other Party) and Titles IV, V, VI and VII thereof, as well as the related Annexes and Protocols (2014/668/EU) (*Official Journal of the European Union*, No. L 278, 20 September 2014, p. 1)<br>Pending its entry into force, in accordance with Article 486 of the Agreement and subject to the notifications provided for therein, the following parts of the Agreement shall be applied provisionally between the Union and Ukraine, but only to the extent that they cover matters falling within the Union's competence:<br>– Title III: Articles 14 and 19;<br>– Title IV (with the exception of Article 158, to the extent that it concerns criminal enforcement of intellectual property rights; and Articles 285 and 286, to the extent that those Articles apply to administrative proceedings, review and appeal at Member State level).<br>The provisional application of Article 279 shall not affect the sovereign rights of the Member States over their hydrocarbon |

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| | entered into force on 1 March 1998, are not covered by the provisional application of this Agreement, they continue to apply.<br><br>7. Either Party may give written notification to the Depositary of its intention to terminate the provisional application of this Agreement. Termination of provisional application shall take effect six months after receipt of the notification by the Depositary. | resources in accordance with international law, including their rights and obligations as Parties to the 1982 United Nations Convention on the Law of the Sea.<br><br>Provisional application of Article 280(3) by the Union shall not affect the existing delineation of competences between the Union and its Member States in respect of the granting of authorisations for the prospection, exploration and production of hydrocarbon.<br><br>– Title V: Chapter 1(with the exception of Articles 338(k), 339 and 342), Chapter 6 (with the exception of Articles 361, Article 362(1)(c), Article 364, and points (a) and (c) of Article 365), Chapter 7 (with the exception of Article 368(3) and point (a) and (d) of Article 369), Chapters 12 and 17 (with the exception of Article 404(h)), Chapter 18 (with the exception of Articles 410 (b) and Article 411), Chapters 20, 26 and 28, as well as Articles 353 and 428,<br><br>– Title VI,<br><br>– Title VII (with the exception of Article 479(1)), to the extent that the provisions of this Title are limited to the purpose of ensuring the provisional application of the Agreement in accordance with this Article,<br><br>– Annexes I to XXVI, Annex XXVII (with the exception of nuclear issues), Annexes XXVIII to XXXVI (with the exception of point 3 in Annex XXXII),<br><br>– Annexes XXXVIII to XLI, Annexes XLIII and XLIV, as well as Protocols I to III. |
| Association Agreement between the European Union and the European Atomic Energy | Article 464 (Entry into force and provisional application)<br><br>1. The Parties shall ratify or approve this Agreement in | Article 3, Council Decision of 16 June 2014 on the signing, on behalf of the European Union, and provisional application of the |

| *Agreement* | *Article in Agreement* | *Article in Council Decision* |
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| Community and their Member States, of the one part, and the Republic of Moldova, of the other part (*Official Journal of the European Union*, No. L 260, 30 August 2014, p. 4) | accordance with their internal procedures. The instruments of ratification or approval shall be deposited with the General Secretariat of the Council of the European Union.<br><br>2. This Agreement shall enter into force on the first day of the second month following the date of the deposit of the last instrument of ratification or approval.<br><br>3. Notwithstanding paragraph 2 of this Article, the Union and the Republic of Moldova agree to provisionally apply this Agreement in part, as specified by the Union, as set out in paragraph 4 of this Article, and in accordance with their respective internal procedures and legislation, as applicable.<br><br>4. The provisional application shall be effective from the first day of the second month following the date of receipt by the depositary of this Agreement of the following:<br><br>(a) the Union's notification on the completion of the procedures necessary for this purpose, indicating the parts of the Agreement that shall be provisionally applied; and<br><br>(b) the Republic of Moldova's notification of the completion of the procedures necessary for the provisional application of this Agreement.<br><br>5. For the purposes of the relevant provisions of this Agreement, including its respective Annexes and Protocols, as laid down in Article 459, any reference in such provisions to the 'date of entry into force of this Agreement' shall be understood to the 'date from which this Agreement is provisionally applied' in accordance with paragraph 3 of this Article.<br><br>6. During the period of provisional application, in so far as the provisions of the Partnership and Cooperation Agreement between the European Communities and their Member States, of the one part, and the Republic of Moldova, of the other part, signed in Luxembourg on 28 November 1994 and which entered into force on 1 July 1998, are not covered by the provisional application of this Agreement, those provisions shall continue to apply. | Association Agreement between the European Union and the European Atomic Energy Community and their Member States, of the one part, and the Republic of Moldova, of the other part (2014/492/EU) (*Official Journal of the European Union*, No. L 260, 30 August 2014, p. 1)<br><br>1. Pending its entry into force, in accordance with Article 464 of the Agreement and subject to the notifications provided for therein, the following parts of the Agreement shall be applied provisionally between the Union and the Republic of Moldova, but only to the extent that they cover matters falling within the Union's competence, including matters falling within the Union's competence to define and implement a common foreign and security policy:<br><br>(a) Title I;<br><br>(b) Title II: Articles 3, 4, 7 and 8;<br><br>(c) Title III: Articles 12 and 15;<br><br>(d) Title IV: Chapters 5, 9 and 12 (with the exception of point (h) of Article 68), Chapter 13 (with the exception of Article 71 to the extent that it concerns maritime governance and with the exception of points (b) and (e) of Article 73 and Article 74), Chapter 14 (with the exception of point (i) of Article 77), Chapter 15 (with the exception of points (a) and (e) of Article 81 and Article 82(2)), Chapter 16 (with the exception of Article 87, point (c) of Article 88 and points (a) and (b) of Article 89, to the extent that that point (b) concerns soil protection), Chapters 26 and 28, as well as Articles 30, 37, 46, 57, 97, 102 and 116; |

| *Agreement* | *Article in Agreement* | *Article in Council Decision* |
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| | 7. Either Party may give written notification to the depositary of this Agreement of its intention to terminate the provisional application of this Agreement. Termination of provisional application shall take effect six months after receipt of the notification by the depositary of this Agreement. | (e) Title V (with the exception of Article 278 to the extent that it concerns criminal enforcement of intellectual property rights, and with the exception of Articles 359 and 360 to the extent that they apply to administrative proceedings and review and appeal at Member State level);<br><br>(f) Title VI;<br><br>(g) Title VII (with the exception of Article 456(1), to the extent that the provisions of that Title are limited to the purpose of ensuring the provisional application of the Agreement as defined in this paragraph);<br><br>(h) Annexes II to XIII, Annexes XV to XXXV, as well as Protocols I to IV.<br><br>2. The date from which the Agreement will be provisionally applied will be published in the *Official Journal of the European Union* by the General Secretariat of the Council. |
| Association Agreement between the European Union and the European Atomic Energy Community and their Member States, of the one part, and Georgia, of the other part (*Official Journal of the European Union*, No. L 261, 30 August 2014, p. 4) | Article 431 (Entry into force and provisional application)<br><br>1. The Parties shall ratify or approve this Agreement in accordance with their own procedures. The instruments of ratification or approval shall be deposited with the General Secretariat of the Council of the European Union.<br><br>2. This Agreement shall enter into force on the first day of the second month following the date of the deposit of the last instrument of ratification or approval.<br><br>3. Notwithstanding paragraph 2 of this Article, the Union and Georgia agree to provisionally apply this Agreement in part, as specified by the Union, as set out in paragraph 4 of this Article, and in accordance with their respective internal procedures and legislation as applicable.<br><br>4. The provisional application shall be effective from the first day of the second month following the date of receipt by | Article 3, Council Decision of 16 June 2014 on the signing, on behalf of the European Union, and provisional application of the Association Agreement between the European Union and the European Atomic Energy Community and their Member States, of the one part, and Georgia, of the other part (2014/494/EU) (*Official Journal of the European Union*, No. L 261, 30 August 2014, p. 1)<br><br>1. Pending its entry into force, in accordance with Article 431 of the Agreement and subject to the notifications provided for therein, the following parts of the Agreement shall be applied provisionally between the Union and Georgia, but only to the extent that they cover matters falling within the Union's |

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| | the depositary of this Agreement of the following:<br><br>(a) the Union's notification on the completion of the procedures necessary for this purpose, indicating the parts of this Agreement that shall be provisionally applied; and<br><br>(b) Georgia's deposit of the instrument of ratification in accordance with its procedures and applicable legislation.<br><br>5. For the purpose of the relevant provisions of this Agreement, including the respective Annexes and Protocols hereto, any reference in such provisions to the 'date of entry into force of this Agreement' shall be understood to the 'date from which this Agreement is provisionally applied' in accordance with paragraph 3 of this Article.<br><br>6. During the period of the provisional application, in so far as the provisions of the Partnership and Cooperation Agreement between the European Communities and their Member States, of the one part, and Georgia, of the other part, signed in Luxembourg on 22 April 1996 and which entered into effect on 1 July 1999, are not covered by the provisional application of this Agreement, they continue to apply.<br><br>7. Either Party may give written notification to the depositary of this Agreement of its intention to terminate the provisional application of this Agreement. Termination of provisional application shall take effect six months after receipt of the notification by the depositary of this Agreement. | competence, including matters falling within the Union's<br><br>competence to define and implement a common foreign and security policy:<br><br>(a) Title I;<br><br>(b) Title II: Articles 3 and 4 and Articles 7 to 9;<br><br>(c) Title III: Articles 13 and 16;<br><br>(d) Title IV (with the exception of Article 151, to the extent that it concerns criminal enforcement of intellectual property rights; and with the exception of Articles 223 and 224, to the extent that they apply to administrative proceedings and review and appeal at Member State level);<br><br>(e) Title V: Articles 285 and 291;<br><br>(f) Title VI: Chapter 1 (with the exception of point (a) of Article 293, point (e) of Article 293, points (a) and (b) of Article 294(2)), Chapter 2 (with the exception of point (k) of Article 298), Chapter 3 (with the exception of Article 302(1)), Chapters 7 and 10 (with the exception of point (i) of Article 333), Chapter 11 (with the exception of point (b) of Article 338 and Article 339), Chapters 13, 20 and 23, as well as Articles 312, 319, 327, 354 and 357;<br><br>(g) Title VII;<br><br>(h) Title VIII (with the exception of Article 423(1), to the extent that the provisions of that Title are limited to the purpose of ensuring the provisional application of the Agreement as defined in this paragraph); |

| *Agreement* | *Article in Agreement* | *Article in Council Decision* |
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| | | (i) Annexes II to XXXI and Annex XXXIV, as well as Protocols I to IV.<br><br>2. The date from which the Agreement will be provisionally applied will be published in the *Official Journal of the European Union* by the General Secretariat of the Council. |
| *Framework Agreements/Partnership and Cooperation Agreements* | | |
| Framework Agreement between the European Union and its Member States, on the one part, and the Republic of Korea, on the other part (*Official Journal of the European Union*, No. L 20, 23 January 2013, p. 2) | Article 49 (Entry into force, duration and termination)<br><br>1. This Agreement shall enter into force on the first day of the month following the date on which the Parties have notified each other of the completion of the legal procedures necessary for that purpose.<br><br>2. Notwithstanding paragraph 1, this Agreement shall be applied on a provisional basis pending its entry into force. The provisional application begins on the first day of the first month following the date on which the Parties have notified each other of the completion of the necessary procedures.<br><br>3. This Agreement shall be valid indefinitely. Either Party may notify in writing the other Party of its intention to denounce this Agreement. The denunciation shall take effect six months after the notification. | Article 2, Council Decision of 10 May 2010 on the signing, on behalf of the European Union, and provisional application of the Framework Agreement between the European Union and its Member States, on the one part, and the Republic of Korea, on the other part (2013/40/EU) (*Official Journal of the European Union*, No. L 20, 23 January 2013, p. 1)<br><br>Pending the completion of the necessary procedures for its entry into force, the Agreement shall be applied on a provisional basis. The provisional application begins on the first day of the first month following the date on which the Parties have notified each other of the completion of the necessary procedures for provisional application. |
| Framework Agreement between the United States of America and the European Union on the participation of the United States of America in European Union crisis management operations (*Official Journal of the European Union*, No. L 143, 31 May 2011, p. 2) | Article 10 (Entry into force and termination)<br><br>1. This Agreement shall enter into force on the first day of the first month after the Parties have notified each other of the completion of the internal procedures necessary for that purpose.<br><br>2. This Agreement shall be provisionally applied from the date of signature.<br><br>3. This Agreement shall be subject to regular review by the Parties. | Article 3, Council Decision 2011/318/CFSP of 31 March 2011 on the signing and conclusion of the Framework Agreement between the United States of America and the European Union on the participation of the United States of America in European Union crisis management operations (*Official Journal of the European Union*, No. L 143, 31 May 2011, p. 1)<br><br>The Agreement shall be applied on a provisional basis as from the date of signature |

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| | 4. This Agreement may be amended on the basis of a mutual written agreement between the Parties. | thereof, pending the completion of the procedures for its conclusion. |
| | 5. Either Party may terminate this Agreement upon six months' written notice to the other Party. | |
| Partnership and Cooperation Agreement between the European Union and its Member States, of the one part, and the Republic of Iraq, of the other part (*Official Journal of the European Union*, No. L 204, 31 July 2012, p. 20) | Article 117 (Provisional Application)<br>1. Notwithstanding Article 116, the Union and Iraq agree to apply Article 2 [Basis], and Titles II [Trade and investments], III [Areas of cooperation] and V [Institutional, general and final provisions] of this Agreement from the first day of the third month following the date on which the Union and Iraq have notified each other of the completion of the procedures necessary for this purpose. Notifications shall be sent to the Secretary-General of the Council of the European Union, who shall be the depository of this agreement.<br>2. Where in accordance with paragraph 1, a provision of this Agreement is applied by the Parties pending its entry into force, any reference in such provision to the date of entry into force of this Agreement shall be understood to be made to the date from which the Parties agree to apply that provision in accordance with paragraph 1. | Article 3, Council Decision of 21 December 2011 on the signing, on behalf of the European Union, and provisional application of certain provisions of the Partnership and Cooperation Agreement between the European Union and its Member States, of the one part, and the Republic of Iraq, of the other part (2012/418/EU) (*Official Journal of the European Union*, No. L 204, 31 July 2012, p. 18)<br>Pending the completion of the necessary procedures for its entry into force, Article 2 and Titles II, III, and V of the Agreement shall be applied provisionally, in accordance with Article 117 of the Agreement only in so far as it concerns matters falling within the Union's competence, from the first day of the third month following the date on which the Union and Iraq have notified each other of the completion of the necessary procedures for provisional application. |
| Enhanced Partnership and Cooperation Agreement between the European Union and its Member States, of the one part, and the Republic of Kazakhstan, of the other part (*Official Journal of the European Union*, No. L 29, 4 February 2016, p. 3) | Article 281 (Entry into force, provisional application, duration and termination)<br>1. This Agreement shall enter into force on the first day of the month following the date on which the Parties notify the General Secretariat of the Council of the European Union through diplomatic channels of the completion of the procedures necessary for this purpose.<br>2. Title III (Trade and Business), unless otherwise specified therein, shall apply as of the date of the entry into force referred to in paragraph 1, provided that the Republic of Kazakhstan has become a Member of the WTO by that | |

| Agreement | Article in Agreement | Article in Council Decision |
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| | date. In case the Republic of Kazakhstan becomes a Member of the WTO after the date of entry into force of this Agreement, Title III (Trade and Business), unless otherwise specified therein, shall apply as of the date the Republic of Kazakhstan has become a Member of the WTO.<br><br>3. Notwithstanding paragraphs 1 and 2, the European Union and the Republic of Kazakhstan may apply this Agreement provisionally in whole or in part, in accordance with their respective internal procedures and legislation, as applicable.<br><br>4. The provisional application begins on the first day of the first month following the date on which:<br><br>(a) the European Union has notified the Republic of Kazakhstan of the completion of the necessary procedures, indicating, where relevant, the parts of this Agreement that shall be provisionally applied; and<br><br>(b) the Republic of Kazakhstan has notified the European Union of the ratification of this Agreement.<br><br>5. Title III (Trade and Business), unless otherwise specified therein, shall apply provisionally as of the date of provisional application referred to in paragraph 4, provided that the Republic of Kazakhstan has become a Member of the WTO by that date. In case the Republic of Kazakhstan becomes a Member of the WTO after the date of the provisional application of this Agreement but before its entry into force, Title III (Trade and Business), unless otherwise specified therein, shall apply provisionally as of the date the Republic of Kazakhstan has become a Member of the WTO.<br><br>6. For the purposes of the relevant provisions of this Agreement, including the Annexes and Protocols hereto, any reference in such provisions to the 'date of entry into force of this Agreement' shall be understood to also refer to the date from which this Agreement is provisionally applied in accordance with paragraphs 4 and 5.<br><br>7. Upon the entry into force of this Agreement, the Partnership and Cooperation Agreement between the European Communities and their Member States, of the one | |

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| | part, and the Republic of Kazakhstan, of the other part, signed on 23 January 1995 and in force from 1 July 1999, shall be terminated.<br><br>During the period of the provisional application, in so far as the provisions of the Partnership and Cooperation Agreement between the European Communities and their Member States, of the one part, and the Republic of Kazakhstan, of the other part, signed in Brussels on 23 January 1995 and which entered into force on 1 July 1999, are not covered by the provisional application of this Agreement, they continue to apply.<br><br>8. This Agreement replaces the Agreement referred to in paragraph 7. References to that Agreement in all other agreements between the Parties shall be construed as referring to this Agreement.<br><br>9. This Agreement is concluded for an unlimited period, with the possibility of termination by either Party by means of a written notification delivered to the other Party through diplomatic channels. The termination shall take effect six months after receipt by a Party of the notification to terminate this Agreement. Such termination shall not affect ongoing projects commenced under this Agreement prior to the receipt of the notification.<br><br>10. Either Party may terminate the provisional application by means of a written notification delivered to the other Party through diplomatic channels. The termination shall take effect six months after receipt by a Party of the notification to terminate the provisional application of this Agreement. Such termination shall not affect ongoing projects commenced under this Agreement prior to the receipt of the notification. | |
| *Other Agreements (services, etc.)* | | |
| Free Trade Agreement between the European Union and its Member States, of the one part, and the Republic of Korea, of the other part (*Official Journal of the* | Article 15.10 (Entry into force), paragraph 5<br><br>5. (a) This Agreement shall be provisionally applied from the first day of the month following the date on which the EU Party and Korea have notified each other of the completion of their respective relevant procedures. | Article 3, Council Decision of 16 September 2010 on the signing, on behalf of the European Union, and provisional application of the Free Trade Agreement between the European Union and its Member States, of the one part, and the Republic of Korea, of the other part |

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| *European Union*, No. L 127, 14 May 2011, p. 6) | (b) In the event that certain provisions of this Agreement cannot be provisionally applied, the Party which cannot undertake such provisional application shall notify the other Party of the provisions which cannot be provisionally applied. Notwithstanding subparagraph (a), provided the other Party has completed the necessary procedures and does not object to provisional application within 10 days of the notification that certain provisions cannot be provisionally applied, the provisions of this Agreement which have not been notified shall be provisionally applied the first day of the month following the notification.<br><br>(c) A Party may terminate provisional application by written notice to the other Party. Such termination shall take effect on the first day of the month following notification.<br><br>(d) Where this Agreement, or certain provisions thereof, is provisionally applied, the term 'entry into force of this Agreement' shall be understood to mean the date of provisional application. | (2011/265/EU) (*Official Journal of the European Union*, No. L 127, 14 May 2011, p. 1).<br><br>1. The Agreement shall be applied on a provisional basis by the Union as provided for in Article 15.10.5 of the Agreement, pending the completion of the procedures for its conclusion. The following provisions shall not be provisionally applied:<br><br>– Articles 10.54 to 10.61 (criminal enforcement of intellectual property rights),<br><br>– Articles 4(3), 5(2), 6(1), 6(2), 6(4), 6(5), 8, 9 and 10 of the Protocol on cultural cooperation<br><br>2. In order to determine the date of provisional application the Council shall fix the date by which the notification referred to in Article 15.10.5 of the Agreement is to be sent to Korea. That notification shall include references to those provisions which cannot be provisionally applied.<br><br>The Council shall coordinate the effective date of provisional application with the date of the entry into force of the proposed Regulation of the European Parliament and of the Council implementing the bilateral safeguard clause of the EU-Korea Free Trade Agreement.<br><br>3. The date from which the Agreement will be provisionally applied will be published in the *Official Journal of the European Union* by the General Secretariat of the Council. |

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| Agreement between the European Community and the Government of Australia on certain aspects of air services (*Official Journal of the European Union*, No. L 149, 7 June 2008, p. 65) | Article 7 (Entry into force)<br>1. This Agreement shall enter in force when the Contracting Parties have notified each other in writing that their respective internal procedures necessary for its entry into force have been completed.<br>2. Notwithstanding paragraph 1, the Contracting Parties agree to provisionally apply this Agreement from the first day of the month following the date on which the Contracting Parties have notified each other of the completion of the procedures necessary for this purpose.<br>3. Agreements and other arrangements between Member States and Australia which, at the date of signature of this Agreement, have not yet entered into force and are not being applied provisionally are listed in Annex I(b) [Air services agreements and other arrangements initialled or signed between the Commonwealth of Australia and Member States of the European Community which, at the date of signature of this Agreement, have not yet entered into force and are not being applied provisionally]. This Agreement shall apply to all such Agreements and arrangements upon their entry into force or provisional application. | Article 3, Council Decision of 7 April 2008 on the signing and provisional application of the Agreement between the European Community and the Government of Australia on certain aspects of air services (2008/420/EC) (*Official Journal of the European Union*, No. L 149, 7 June 2008, p. 63)<br>Pending its entry into force, the Agreement shall be applied provisionally from the first day of the first month following the date on which the Parties have notified each other of the completion of the necessary procedures for this purpose. |
| Agreement between the European Community and the Hashemite Kingdom of Jordan on certain aspects of air services (*Official Journal of the European Union*, No. L 68, 12 March 2008, p. 15) | Article 9 (Entry into force and provisional application)<br>1. This Agreement shall enter in force when the Parties have notified each other in writing that their respective internal procedures necessary for its entry into force have been completed.<br>2. Notwithstanding paragraph 1, the Parties agree to provisionally apply this Agreement from the first day of the month following the date on which the Parties have notified each other of the completion of the procedures necessary for this purpose.<br>3. Agreements and other arrangements between Member States and the Hashemite Kingdom of Jordan which, at the date of signature of this Agreement, have not yet entered into force and are not being applied provisionally are listed in Annex I(b) [Air service agreements and other arrangements | Article 3, Council Decision of 25 June 2007 on the signing and provisional application of the Agreement between the European Community and the Hashemite Kingdom of Jordan on certain aspects of air services (2008/216/EC) (*Official Journal of the European Union*, No. L 68, 12 March 2008, p. 14)<br>Pending its entry into force, the Agreement shall be applied provisionally from the first day of the first month following the date on which the parties have notified each other of the completion of the necessary procedures for this purpose. |

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| | initialled or signed between Jordan and Member States of the European Community which, at the date of signature of this Agreement, have not yet entered into force and are not being applied provisionally]. This Agreement shall apply to all such Agreements and arrangements upon their entry into force or provisional application. | |
| Agreement between the European Community and the United Arab Emirates on certain aspects of air services (*Official Journal of the European Union*, No. L 28, 1 February 2008, p. 21) | Article 9 (Entry into force and provisional application)<br><br>1. This Agreement shall enter into force when the Contracting Parties have notified each other in writing that their respective internal procedures necessary for its entry into force have been completed.<br><br>2. Notwithstanding paragraph 1, the Contracting Parties agree to provisionally apply this Agreement from the first day of the month following the date on which the Contracting Parties have notified each other of the completion of the procedures necessary for this purpose.<br><br>3. Agreements and other arrangements between Member States and the United Arab Emirates which, at the date of the signature of this Agreement, have not yet entered into force and are not being applied provisionally are listed in Annex I(b) [Air services agreements and other arrangements initialled or signed between the United Arab Emirates and Member States of the European Community which, at the date of signature of this Agreement, have not yet entered into force and are not being applied provisionally. — Agreement between the Government of Romania and the Government of the United Arab Emirates relating to civil air transport initialled at Abu Dhabi on 8 March 1989, hereinafter referred to as 'the United Arab Emirates-Romania Agreement' in Annex II; To be read together with the Confidential Memorandum of Understanding done at Abu Dhabi on 8 March 1989]. This Agreement shall apply to all such Agreements and arrangements upon their entry into force or provisional application. | Article 3, Council Decision of 30 October 2007 on the signing and provisional application of the Agreement between the European Community and the United Arab Emirates on certain aspects of air services (2008/87/EC) (*Official Journal of the European Union*, No. L 28, 1 February 2008, p. 20)<br><br>Pending its entry into force, the Agreement shall be applied provisionally from the first day of the first month following the date on which the Contracting Parties have notified each other of the completion of the necessary procedures for this purpose. |

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| Agreement between the European Community and the Government of the Kyrgyz Republic on certain aspects of air services (*Official Journal of the European Union*, No. L 179, 7 July 2007, p. 20) | Article 9 (Entry into force and provisional application)<br><br>1. This Agreement shall enter into force when the Parties have notified each other in writing that their respective internal procedures necessary for its entry into force have been completed.<br><br>2. Notwithstanding paragraph 1, the Parties agree to provisionally apply this Agreement from the first day of the month following the date on which the Parties have notified each other of the completion of the procedures necessary for this purpose.<br><br>3. This Agreement shall apply to all Agreements and other arrangements between Member States and the Kyrgyz Republic listed in Annex I which, at the date of signature of this Agreement, have not yet entered into force, upon their entry into force or provisional application. | Article 3, Council Decision of 30 May 2007 on the signing and provisional application of the Agreement between the European Community and the Government of the Kyrgyz Republic on certain aspects of air services (2007/470/EC) (*Official Journal of the European Union*, No. L 179, 7 July 2007, p. 20)<br><br>Pending its entry into force, the Agreement shall be applied provisionally from the first day of the month following the date on which the Parties have notified each other of the completion of the procedures necessary for this purpose. |
| Agreement between the European Community and New Zealand on certain aspects of air services (*Official Journal of the European Union*, No. L 184, 6 July 2006, p. 26) | Article 8 (Entry into force)<br><br>1. This Agreement shall enter into force when the Contracting Parties have notified each other in writing that their respective internal procedures necessary for its entry into force have been completed.<br><br>2. Notwithstanding paragraph 1, the Contracting Parties agree to apply this Agreement provisionally from the first day of the month following the date on which the Contracting Parties have notified each other of the completion of the procedures necessary for this purpose.<br><br>3. Agreements and other arrangements between Member States and New Zealand which, at the date of signature of this Agreement, have not yet entered into force and are not being applied provisionally are listed in Annex I(b) [Air services agreements and other arrangements initialled or signed between New Zealand and Member States of the European Community which, at the date of signature of this Agreement, have not yet entered into force and are not being applied provisionally]. This Agreement shall apply to all such | Article 3, Council Decision of 5 May 2006 on the signing and provisional application of the Agreement between the European Community and New Zealand on certain aspects of air services (2006/466/EC) (*Official Journal of the European Union*, No. L 184, 6 July 2006, p. 25)<br><br>Pending its entry into force, the Agreement shall be applied provisionally from the first day of the first month following the date on which the Parties have notified each other of the completion of the necessary procedures for this purpose. |

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| | Agreements and arrangements upon their entry into force or provisional application. | |
| Agreement between the European Community and the Government of the Republic of Singapore on certain aspects of air services (*Official Journal of the European Union*, No. L 243, 6 September 2006, p. 22) | Article 7 (Entry into force)<br>1. This Agreement shall enter into force when the Contracting Parties have notified each other in writing that their respective internal procedures necessary for its entry into force have been completed.<br>2. Notwithstanding paragraph 1, the Contracting Parties agree to provisionally apply this Agreement from the first day of the month following the date on which the Contracting Parties have notified each other of the completion of the procedures necessary for this purpose.<br>3. Agreements and other arrangements between Member States and Singapore which, at the date of signature of this Agreement, have not yet entered into force and are not being applied provisionally are listed in Annex I(b) [Air services agreements and other arrangements initialled or signed between the Republic of Singapore and Member States of the European Community which, at the date of signature of this Agreement, have not yet entered into force and are not being applied provisionally]. This Agreement shall apply to all such Agreements and arrangements upon their entry into force or provisional application. | Article 3, Council Decision of 5 May 2006 on the signing and provisional application of the Agreement between the European Community and the Government of the Republic of Singapore on certain aspects of air services (2006/592/EC) (*Official Journal of the European Union*, No. L 243, 6 September 2006, p. 21)<br>Pending its entry into force, the Agreement shall be applied provisionally from the first day of the first month following the date on which the Parties have notified each other of the completion of the necessary procedures for this purpose. |
| Euro-Mediterranean Aviation Agreement between the European Community and its Member States, of the one part and the Kingdom of Morocco, of the other part (*Official Journal of the European Union*, No. L 386, 29 December 2006, p. 57) | Article 30 (Entry into force)<br>1. This Agreement shall be applied provisionally, in accordance with the national laws of the Contracting Parties, from the date of signature.<br>2. This Agreement shall enter into force one month after the date of the last note in an exchange of diplomatic notes between the Contracting Parties confirming that all necessary procedures for entry into force of this Agreement have been completed. For purposes of this exchange, the Kingdom of Morocco shall deliver to the General Secretariat of the Council of the European Union its diplomatic note to the European Community and its Member States, and the General Secretariat of the Council of the European Union | Article 1, Decision of the Council and of the representatives of the Governments of the Member States, meeting within the Council of 4 December 2006 (2006/959/EC) (*Official Journal of the European Union*, No. L 386, 29 December 2006, p. 55)<br>Signature and provisional application<br>1. The signing of the Euro-Mediterranean Aviation Agreement between the European Community and its Member States, of the one part, and the Kingdom of Morocco, of the other part, hereinafter 'the Agreement', is hereby approved on behalf of the Community, |

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| | shall deliver to the Kingdom of Morocco the diplomatic note from the European Community and its Member States. The diplomatic note from the European Community and its Member States shall contain communications from each Member State confirming that its necessary procedures for entry into force of this Agreement have been completed. | subject to the conclusion of the Agreement.<br>2. The President of the Council is hereby authorised to designate the person(s) empowered to sign the Agreement on behalf of the Community, subject to its conclusion.<br>3. Pending its entry into force, the Agreement shall be applied in accordance with Article 30(1) thereof.<br>4. The text of the Agreement is attached to this Decision. |
| Euro-Mediterranean Agreement establishing an Association between the European Community and its Member States, of the one part, and the Republic of Lebanon, of the other part (*Official Journal of the European Union*, No. L 143, 30 May 2006, p. 2) | Article 93 (Interim Agreement)<br>In the event that, pending the completion of the procedures necessary for the entry into force of this Agreement, the provisions of certain parts of this Agreement, in particular those relating to the free movement of goods, are put into effect by means of an Interim Agreement between the Community and Lebanon, the parties agree that, in such circumstances, for the purposes of Titles II and IV of this Agreement and Annexes 1 and 2 and Protocols 1 to 5 thereto, the terms 'date of entry into force of this Agreement' mean the date of entry into force of the Interim Agreement in relation to obligations contained in these Articles, Annexes and Protocols. | Council Decision of 14 February 2006 concerning the conclusion of the Euro-Mediterranean Agreement establishing an association between the European Community and its Member States of the one part, and the Republic of Lebanon, of the other part (2006/356/EC) (*Official Journal of the European Union*, No. L 143, 30 May 2006, p. 1) |
| *Protocol for the accession of Bulgaria, Croatia and Romania* | | |
| Protocol to the Partnership and Cooperation Agreement establishing a partnership between the European Communities and their Member States, of the one part, and the Russian Federation, of the other t, to take account of the accession of the Republic of Croatia to the European Union (*Official Journal of the European Union*, No. L 373, 1 December 2014, p. 3) | Article 4<br>1. This Protocol shall be approved by the Parties, in accordance with their own procedures. The Parties shall notify each other of the completion of the procedures necessary for that purpose. The instruments of approval shall be deposited with the General Secretariat of the Council of the European Union.<br>2. This Protocol shall enter into force on the first day of the first month following the date of deposit of the last instrument of approval. | Article 3, Council Decision of 23 July 2014 on the signing, on behalf of the European Union and its Member States, and provisional application, of the Protocol to the Partnership and Cooperation Agreement establishing a partnership between the European Communities and their Member States, of the one part, and the Russian Federation, of the other part, to take account of the accession of the Republic of Croatia to the European Union (2014/956/EU) (*Official Journal of the European Union*, No. L 373, 31 December 2014, p. 1) |

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| | 3. This Protocol shall apply provisionally after 15 days from the date of its signature.<br><br>4. This Protocol shall apply to the relations between the Parties within the framework of the Agreement as of the date of accession of the Republic of Croatia to the European Union. | The Protocol shall be applied on a provisional basis, as from 1 July 2013, pending the completion of the procedures for its conclusion. |
| | Article 14<br><br>1. This Protocol shall enter into force on the first day of the first month following the date of the deposit of the last instrument of approval.<br><br>2. If not all the instruments of approval of this Protocol have been deposited before the first day of the second month following the date of signature, this Protocol shall apply provisionally. The date of provisional application shall be the first day of the second month following the date of signature. | Article 3, Council Decision of 14 April 2014 on the signing, on behalf of the European Union and its Member States, and provisional application of the Protocol to the Stabilisation and Association Agreement between the European Communities and their Member States, of the one part, and the Republic of Serbia, of the other part, to take account of the accession of the Republic of Croatia to the European Union (2014/517/EU) (*Official Journal of the European Union*, No. L 233, 6 August 2014, p. 1)<br><br>The Protocol shall be applied on a provisional basis, in accordance with its Article 14, as from the first day of the second month following the date of its signature, pending the completion of the procedures for its conclusion. |